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PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

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September 7, 2004

FACSIMILE COVER SHEET

To: Examiner Benjamin R. Bruckart
Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

Fax: 703-872-9306

Enclosures:

Fax Cover Sheet containing Certificate of
Facsimile Transmission (1 page)
Notice of Appeal containing Certificate of
Facsimile Transmission and Authorization
to Charge Deposit Account 23-3000 in the
amount of \$330.00 for the Fee (1 page)

From: Scott A. Stinebruner
Reg. No. 38,323
Re: U.S. Patent Application
Serial No. 09/694,586
Filed: October 23, 2000
Applicant: Timothy Roy Block et al.
Art Unit: 2155
Confirmation No.: 8940
Our Ref: IBM/167

Pages: 2 (including cover sheet)

MESSAGE/COMMENTS OFFICIAL

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Judith L. Volk
Judith L. Volk

September 7, 2004
Date

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PATENT

Attorney Docket No. IBM/167
Confirmation No. 8940

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Roy Block et al. Art Unit: 2155
 Serial No.: 09/694,586 Examiner: Benjamin R. Bruckart
 Filed: October 23, 2000 Atty. Docket No.: IBM/167
 For: DYNAMIC MODIFICATION OF CLUSTER COMMUNICATION PARAMETERS IN
CLUSTERED COMPUTER SYSTEM

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM
 THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed June 7, 2004 finally rejecting claims 1-31.

The item(s) checked below are appropriate:

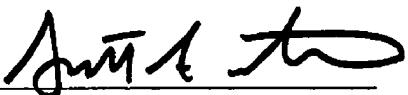
1. Applicants hereby petition for a _____ month extension of time to reply to the final rejection. A check in the amount of \$_____ is attached.

2. <input checked="" type="checkbox"/> Appeal Fee: <u>XXX</u>	Other than a small entity	Fee: \$330.00
	Small Entity Status previously	Fee: \$_____
	Requested and is still proper	Fee: \$_____
	Small Entity Status Requested	Fee: \$_____

3. Payment

<u>XXX</u>	Check attached for the sum of \$_____.
	Please charge the sum of \$330.00 and any deficiency or credit any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,

By: 
 Scott A. Stinebruner
 Reg. No. 38,323

Date: 7 SEP 2004

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Judith L. Volk September 7, 2004
 Judith L. Volk Date

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 Serial No. 09/694,586
 Notice of Appeal
 Reply to June 7, 2004 Final Office Action
 IBM Docket ROC920000192US1
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